

ORDINANCE NO. 2002-071

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE 2002-063, PROVIDING FOR QUARTERLY DISBURSEMENTS OF DRIVER EDUCATION SAFETY TRUST FUNDS TO THE PALM BEACH COUNTY SCHOOL BOARD; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County enacted Ordinance No. 2002-063 to implement Section 98, Chapter 2002-20, Laws of Florida, known as the "Dori Slosberg Driver Education Safety Act," which authorizes counties to enact an ordinance requiring the clerk of the court to collect an additional three dollars (\$3.00) with each civil traffic penalty to be used to fund driver education programs in public and non-public schools; and

WHEREAS, Ordinance No. 2002-063 provides for annual disbursement of a percentage of Driver Education Trust Fund monies to the School Board of Palm Beach County; and

WHEREAS, the Board of County Commissioners of Palm Beach County finds that quarterly disbursement of Driver Education Trust Fund monies will facilitate implementation of driver education programs in public schools.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. QUARTERLY DISBURSEMENT OF DRIVER EDUCATION TRUST FUND MONIES TO THE PALM BEACH COUNTY SCHOOL BOARD

Section 3 of Ordinance No. 2002-063 is amended to read:

Section 3. DISBURSEMENT OF DRIVER EDUCATION SAFETY TRUST FUND MONIES

a.) Monies deposited into the Driver Education Safety Trust Fund shall be used to financially assist driver education safety programs in public and non-public schools in the County. The funds shall be used for

1 direct educational expenses and shall not be used for
2 administration costs.

3 b.) ~~On an annual basis,~~ A percentage of the funds
4 collected under this Ordinance shall be disbursed at the
5 end of each fiscal quarter to the School Board of Palm
6 Beach County for driver education programs in public
7 schools. The percentage of funds disbursed to the School
8 Board shall be based on the number of students enrolled
9 in public schools that are eligible to participate in
10 driver education programs. In order to receive funding
11 under this Ordinance, the School Board shall execute a
12 Grant Acceptance Agreement, acknowledging that funds
13 received under this Ordinance shall only be used for
14 direct educational expenses for driver education
15 programs, and promising that funds received under this
16 Ordinance will not be used to replace existing driver
17 education funding levels or funding sources.

18 c.) A percentage of the funds collected under this
19 Ordinance shall be made available for disbursement to
20 eligible non-public schools as part of a grant program.
21 The percentage of funds disbursed to eligible non-public
22 schools as part of the grant program shall be based on
23 the number of students enrolled in non-public schools
24 that are eligible to take driver education.

25 d.) Grant program procedures shall be developed by
26 the County Administrator and approved by the Board of
27 County Commissioners. A Grant Program Administrator may
28 be designated by interlocal agreement, resolution of the
29 Board of County Commissioners, or other formal directive
30 by the Board of County Commissioners. In order to
31 receive funds from the Driver Education Safety Trust
32 Fund, eligible grant applicants shall apply for funds and
33 receive grant approval in accordance with grant program

1 procedures, and shall execute a Grant Acceptance
2 Agreement, acknowledging that funds received under the
3 Ordinance shall only be used for direct educational
4 expenses for driver education programs, and promising
5 that funds received under this Ordinance will not be used
6 to replace existing driver education funding levels or
7 funding sources.

8 e.) Non-public elementary schools, middle schools,
9 and high schools that offer driver education instruction
10 are eligible to apply for a grant under this Ordinance.

11 f.) Criteria that may be considered as a basis for
12 grant selection includes, but is not limited to the
13 following:

14 1.) The number of years the grant applicant has
15 administered a driver education program;

16 2.) The number of students who have successfully
17 completed the grant applicant's driver education
18 program;

19 3.) The grant applicant's safety record;

20 4.) The extent to which the grant applicant's
21 curriculum meets all applicable local, state, and
22 federal guidelines for driver education programs.

23 g.) Final approval of grant awards shall be made
24 by the Board of County Commissioners upon recommendation
25 by the Grant Program Administrator or the County
26 Administrator.

27 h.) Monies that have not been disbursed at the end
28 of each fiscal year shall be retained for disbursement in
29 the following fiscal year.

30 **Section 2. REPEAL OF LAWS IN CONFLICT:**

31 All local laws and ordinances in conflict with any provisions
32 of this Ordinance are hereby repealed to the extent of such
33 conflict.

1 **Section 3. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:**

2 The provisions of this Ordinance shall become and be made a
3 part of the Code of Laws and Ordinances of Palm Beach County,
4 Florida. The sections of this Ordinance may be renumbered or
5 relettered to accomplish such, and the word "ordinance" may be
6 changed to "section", "article", or other appropriate word.

7 **SECTION 4. EFFECTIVE DATE:**

8 The provisions of this Ordinance shall become effective upon
9 filing with the Department of State.

10 APPROVED and ADOPTED by the Board of County Commissioners of
11 Palm Beach County, Florida, on this the 17 day of
12 December, 2002.

13
14 DOROTHY H. WILKEN, CLERK

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

15
16 By: Linda C. Hickman
17 Deputy Clerk

By: Karen T. Marcus Chair

18 APPROVED AS TO FORM AND
19 LEGAL SUFFICIENCY

20 By: Amy Taylor Petrick
21 County Attorney

22 Filed with the Department of State on the 20 day of
23 December, 2002.

4 STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 17, 2002.
DATED at West Palm Beach, FL on 1/17/03.
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.